

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Commissioner of Health and Family Welfare – Implementation of Pre-Conception & Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994 & Rules 1996 (PC&PNDT Act & Rules) - Reconstitution of State Advisory Committee for PC&PNDT Act –Orders – Issued.

HEALTH MEDICAL AND FAMILY WELFARE (D1) DEPARTMENT

G. O Rt. No. 1836

Dated:05.11.2011

Read the following:

- 1) GO. O. Ms. No. 66; HM&FW (D1) Dept; Dated 02.02.1996
- 2) G. O. MS. NO. 280; HM&FW (D1) Dept.; Dated 10.07.2001
- 3) G. O. Ms. No. 408; HM&FW (D1) Dept; Dated 24.06.2005
- 4) This office Rc. No. 302/PC&PNDT/2011; Dated 17.06.2011 addressed to the Medical Superintendent, Govt. Maternity Hospital, Nayapool, Hyderabad; The Medical Superintendent, Niloufer Hospital; Hyderabad; The Director; Institute of Genetics and Hospital for Genetic Diseases & Research Centre, Hyderabad
- 5) This office Rc. No. 0302/PC&PNDT/2011; Dated 17.06.2011 addressed to the Director; Institute of Nutrition, Hyderabad
- 6) Rc No. D/Gen/Deput/2011;/296; Dated 24.06.2011; The Director; National Institute of Nutrition; Jamai Osmania; Hyderabad – 07
- 7) This office Rc. No. 0302/PC&PNDT/2011; Dated 17.06.2011 addressed to the Director; WD & CW Dept; AP; Hyderabad
- 8) Rc. No. 4003/K2/2011; Dated 25.06.2011; the Director; WD & CW Dept; AP; Hyderabad;
- 9) This office Rc. No. 0302/PC&PNDT/2011; Dated 17.06.2011 addressed to the Commissioner, Information & Public Relations Dept; AP; Hyderabad
- 10) Rc. No. 007745/Admn-I-I/2011; Dated 27.06.2011; Commissioner; Information & Public Relations Dept; AP; Hyderabad
- 11) This office Rc. No. 0302/PC&PNDT/2011; Dated 17.06.2011 addressed to the Commissioner of Tribal Welfare Dept; AP; Hyderabad
- 12) Rc. No. F1/ 5564/2011; Dated 15.07.2011; the Commissioner; Tribal Welfare; AP; Hyderabad
- 13) This Office Rc. No. 0302/PC&PNDT/2011; Dated 17.06.2011; addressed to the Secretary to Govt; Law Dept; AP Sectt; Hyderabad under intimation to Prl. Secy. to Govt; HM&FW Dept; AP Sectt; Hyderabad
- 14) Govt. No: 8437/HM&FW (D1) Dept; Dated 13.09.2011; Prl. Secy. to Govt; HM&FW Dept; AP; Hyderabad
- 15) Rc. No. 0302/PC&PNDT/2011; Dated 22.09.2011; Commissioner of Health & Family Welfare; Andhra Pradesh; Hyderabad

ORDER

On the basis of proposals received from the Commissioner of Family Welfare Andhra Pradesh Hyderabad, through reference 1st read, the Government have constituted the State Level Advisory Committee for PC&PNDT Act and later reconstituted through reference 2nd read nominated the Superintendent, Government Maternity Hospital, Nayapool, Hyderabad as Chairperson / Chairman of the Committee. The Superintendent, Niloufer Hospital for Children and Women, Red Hills, Hyderabad has been appointed as Member of the Committee by the Government. Now the term has been completed. Hence, the State Level Advisory Committee has to be reconstituted again due to completion of the term.

2. On the basis of Resolution No. (2), taken in the State Supervisory Board meeting held on 22.08.2007 the Committee has to be comprised with the following

1	The Commissioner of Health & Family Welfare	Chairperson / Chairman
2	The Chairperson / Chairman, State Appropriate Authority for PC&PNDT Act and Additional Director (MCH)	Member- Convener
3	The Superintendent; Govt. Maternity Hospital; Nayapool or Sultan Bazaar (eminent Gyn & Obs Category)	Member

4	The Superintendent; Niloufer Hospital; Hyderabad (eminent Pediatrics category)	Member
5	The Director / HOD of Genetics; Institute of Genetics and Hospital for Genetic Diseases and Research; Hyderabad (eminent Geneticist category)	Member
6	The Circulating Officer of Law Dept; Secretariat; Law Dept; HM&FW files under Legal Expert (Joint Secy. to Govt; Law Dept;	Member
7	The Deputy Director; O/o Commissioner Information & Public Relations Dept under IEC Expert	Member
8	3 (Three) members from the category of eminent social workers of whom not less than one shall be from amongst the representatives of Women's Organization (to be nominated)	Members

3. In accordance with the consolidated proposal submitted by the Commissioner of Health & Family Welfare; Andhra Pradesh; Hyderabad to the Government duly nominations from the departments / organizations concerned, under category the Government after careful examine the matter, hereby reconstitute the State Level Advisory Committee for PC&PNDT Act issuing following Notification.

4. Accordingly the following Notification will be published in extraordinary issue of Andhra Pradesh Gazette:-

NOTIFICATION:

1	The Commissioner of Health & Family Welfare	Chairperson / Chairman
2	The Chairperson / Chairman, State Appropriate Authority for PC&PNDT Act and Additional Director (MCH)	Member-Convener
3	The Superintendent; Govt. Maternity Hospital; Nayapool (eminent Gyn & Obs Category)	Member
4	The Superintendent; Niloufer Hospital; Hyderabad (eminent Pediatrics category)	Member
5	The Director / HOD of Genetics; Institute of Genetics and Hospital for Genetic Diseases and Research; Hyderabad (eminent Geneticist category)	Member
6	One Legal Expert (Deputy/Joint/Additional Secy. to Govt; Law Dept; the circulating officers who is dealing with the subject of HM&FW Dept; in Law Dept. AP Sectt., (under eminent Legal Expert)	Member
7	One IEC Expert (Deputy Director / Joint Director, Field Publicity Officers; nominated by the Information & Public Relations Department (under category of eminent IEC Expert)	Member
8	3 (Three) members from the category of eminent social workers of whom not less than one shall be from amongst the representatives of Women's Organization (to be nominated)	Members
1	The Deputy Director (ICDS); O/o Director; Women Development & Child Welfare Dept;	Member
2	Ms. Kunjam Radha; Sarpanch, China Aarkur (V), Kunavaram (M); Khammam District nominated by Commissioner; Tribal Welfare Dept;	Member
9	The Supporting Officer for PC&PNDT Act	Member Secretary

5. In addition to above the following officials / non-officials shall be appointed as co-opted members for State Advisory Committee for PC&PNDT Act

1	The representative from Police Department (to be nominated by the Prl Secy to Govt; Home Dept);	Co-opted Member
2	The representative from Higher Education Dept; (to be nominated by the Prl Secy., to Govt; Higher Education Dept);	Co-opted Member
3	The representative from Panchayat Raj & Rutal Development Dept; (To be nominated by the Pril Secy to Govt; Panchayat Raj & Rural Development Dept)	Co-opted Member

6. The following officials shall be considered as invitees for the Committee meetings convened by the Commissioner of Health & Family Welfare; Andhra Pradesh; Hyderabad or the Chairperson / Chairman, State Appropriate Authority for PC&PNDT Act (Member-Convener)

1	All Members of Multi-Member State Appropriate Authority	Invitees
2	The Deputy Director (MEM); O/o CH&FW; AP; Hyderabad	Invitee
3	The Mission Director, NRHM; O/o CH&FW; AP; Hyderaabad	Invitee

(* ALL MEMBERS WILL BE BY DESIGNATION ONLY)

ANNEXURE

I. FUNCTIONS OF THE COMMITTEE:

- 1) To advise the State Appropriate Authorities on the matters relating to use of pre-natal diagnostic techniques, sex selection techniques and against their misuse;
- 2) To review and monitor implementation of the provisions of Act and Rules throughout the State.
- 3) To create public awareness in the State & District against the practice of pre-conception sex selection and pre-natal determination of sex of foetus leading to female foeticide;
- 4) To lay down code of conduct to be observed ed by person working at Genetic Counselling Centres, Genetic Laboratories, Genetic Clinics, Ultra-sound Clinics, Imaging Centres etc. in the State & District;
- 5) To oversee the performance of various bodies constituted under the Act and taken appropriate steps to ensure its proper and effective implementation;
- 6) To send such consolidated reports as may be prescribed in respect of the various activities of State & District Appropriate Authority
- 7) Any other functions as may be prescribed under the Act.
- 8) Any other activities, which are assigned by the Government of India; Central Supervisory Board, State Government; State Supervisory Board and State Appropriate Authority or any other competent authority.

II. TERMS AND CONDITIONS:

- 1 The term of the Committee shall be THREE YEARS.
- 2 The Committee shall meet once in TWO MONTHS. The maximum intervene period of convene each meeting will be two months, whereas, depending upon situation and necessity or whenever emergency situation arises, special Committee meeting may be convened.
- 3 The Term of the Member, other than an ex-officio member shall be THREE YEARS. The Chairperson / Chairman, State Advisory Committee should submit the proposal to State Supervisory Board / Government before THREE MONTHS of lapse of period of such members or if any fresh appointment made, the details should be submitted to State Supervisory Board / Government WITHIN ONE MONTH of such appointment and it should be ratified by the State Supervisory Board / State Government.

- 4 If a Vacancy occurs in the Committee of Ex-Officio Member in the Committee, it shall be filled automatically by the successor of such post as these members are appointed BY DESIGNATION ONLY
- 5 If a Vacancy occurs in the Committee other than ex-officio member (Non-Officials), making fresh appointment by the State Supervisory Board / State Government on the basis of Chairperson / Chairman, State Advisory Committee proposal.
- 6 One-third of the total number of members of the Committee shall constitute the Quorum.
- 7 The Committee may co-opt members as and when required, provided that the number of co-opted members does not exceed One Third of the total strength of the Committee.
- 8 The Co-opted members shall have the same powers and functions as other members except the right to vote and shall abide by the rules and regulations;

III. DISQUALIFICATIONS FOR APPOINTMENT AS MEMBER:

A person shall be disqualified for being appointed as member, if he

- 1) Has convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government / State Government / State Supervisory Board / State Appropriate Authority, involves moral turpitude; or
- 2) Is an un-discharged insolvent; or
- 3) Is of un-sound mind and stands so declared by a competent court; or
- 4) Has been removed or dismissed from the service of Government or a Corporation owned or controlled by the Government; or
- 5) Has, in the opinion of the Central Government / State Government / State Supervisory Board / State Appropriate Authority, such financial or other interest in the Committee as is likely to affect prejudicially the discharge by him of his functions as a member; or
- 6) Has, in the opinion of the Central Government / State Government / State Supervisory Board / State Appropriate Authority, been associated with the use or promotion of pre-natal diagnostic techniques for determination of sex or with any sex selection techniques

IV. ELIGIBILITY OF MEMBER FOR REAPPOINTMENT:

Subject to the other terms and conditions of service as may be prescribed, any person ceasing to be a member shall be eligible for re-appointment as such member, provided that no member other than an ex-officio member shall be appointed for more than THREE CONSECUTIVE TERMS. If extension of consecutive term of above (THREE) prescribed term of a particular member the Chairperson, State Advisory Committee should submit the justification for extension of consecutive term of such member.

7. The Commissioner of Health and Family Welfare, Andhra Pradesh, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.R.KISHORE
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Health & Family Welfare; Andhra Pradesh; Hyderabad
The Chairperson / Chairman, State Appropriate Authority for PC&PNDT Act and Additional Director (MCH); O/o Commissioner of Health & Family Welfare; Andhra Pradesh; Hyderabad

All Members; State Level Advisory Committee for PC&PNDT Act.

All Collectors & District Magistrates (Chairpersons / Chairman, District Advisory Committee for PC&PNDT Act) in the State

All District Medical & Health Officers (District Appropriate Authorities for PC&PNDT Act) in the State

Copy to

The Special Chief Secretary to Government; Women Development; Child Welfare & Disabled Welfare Dept; AP Sectt; Hyderabad

The Director; Women Development & Child Welfare; (Yousuf guda; Hyderabad) AP; Hyderabad

The Secretary to Government (Legal Affairs & Justice); Law Department; AP Sectt;
Hyderabad

The Commissioner; Tribal Welfare; Samkshema Bhawan; Masub Tank; Hyderabad

The Commissioner, APVVP; Hyderabad

The Director; Public Health & Family Welfare; Andhra Pradesh; Hyderabad

The Director of Medical Education; AP; Hyderabad

The P. S. to Minister (HM&FW Dept) AP Sectt; Hyderabad

The Pr.Secretary to Hon'ble Chief Minister; Government of Andhra Pradesh; Sectt;
Hyderabad

The Joint Secretary to Government of India, (Smt. Anuradha Gupta; IAS); M/H&FW;
Nirman Bhawan; New Delhi

The Director (PNDT); Government of India, (Smt. Anuradha Gupta; IAS); M/H&FW;
Nirman Bhawan; New Delhi

The Section Officer (PNDT) Government of India, (Smt. Anuradha Gupta; IAS); M/H&FW;
Nirman Bhawan; New Delhi

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SECTION OFFICER